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## UNITED STATES DISTRICT COURT

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## NORTHERN DISTRICT OF CALIFORNIA

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4 EPIC GAMES, INC.,

5 Plaintiff,

6 v.

7 APPLE INC.,

8 Defendant.

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Case No.: 4:20-CV-05640-YGR

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ORDER GRANTING MOTIONS FOR LEAVE TO  
FILE AMICUS CURIAE BRIEFS

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Re: Dkt. Nos. 904, 906 &amp; 908

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Pending before the Court are three motions for leave to file *amicus curiae* briefs in support of plaintiff Epic Games, Inc.’s motion to enforce the injunction.<sup>1</sup> Defendant Apple, Inc. opposes the motions on the grounds that the proposed *amicus* briefs would be “neither necessary nor helpful” to the Court. (Dkt. No. 912 at 1:23.) Instead, Apple argues the proposed briefs are irrelevant to and/or duplicative of Epic’s motion.

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Given the Court’s “broad discretion” to permit the filing of *amicus* briefs, *Hoptowit v. Ray*, 682 F.2d 1237, 1260 (9th Cir. 1982), *abrogated on other grounds by Sandin v. Conner*, 515 U.S. 472 (1995), as well as proposed *amici curiae*’s perspectives on Epic’s motion to enforce the injunction, the motions for leave are **GRANTED**.<sup>2</sup> As set forth in the Court’s prior order, Apple’s consolidated response to Epic’s motion, as well as the proposed *amicus* briefs, shall be due on **April 12, 2024** and not exceed **35 pages**. (See Dkt. No. 911.)

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This terminates Dkt. Nos. 904, 906 & 908.

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**IT IS SO ORDERED.**

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Date: April 4, 2024

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YVONNE GONZALEZ ROGERS  
UNITED STATES DISTRICT COURT JUDGE

<sup>1</sup> The motions are brought on behalf of a range of non-parties, including, in no particular order: Match Group, LLC; Meta Platforms, Inc.; Microsoft Corp.; X Corp.; Spotify USA, Inc.; and Digital Content Next. *See generally* Dkt. Nos. 904, 906 & 908.

<sup>2</sup> Since the Court determines the motions for leave are suitable for adjudication based on the record before it, Epic is **RELIEVED** of its obligation, under the Court’s prior order, to file a reply brief in support of the motions.